

## **NMFS Determination for 3/22/11**

1. NMFS accepts the advice from DOSS and determines that continuing to manage CVP/SWP operations to an Old and Middle River (OMR) flow of no more negative than -2,500 cfs, in consideration of the preliminary combined older juvenile Chinook salmon loss density of 11.51 fish/TAF, is consistent with the intended implementation of Action IV.2.3 in the NMFS BiOp and sufficiently protective of listed species present in the Delta at this time. The 5-day running average OMR shall continue to be no more than 25% more negative than -2,500 cfs.

Three consecutive days in which the combined fish loss density is below an action trigger (and provided that the 5-day average OMR is no more negative 25% more negative than -2,500 cfs) are required before the OMR flow limit can be relaxed, as follows:

- If the combined fish loss density drops to below 6.64 fish/TAF, but above 3.32 fish/TAF, on 3/21, 3/22, and 3/23; the OMR flow limit may (as early as 3/24) be relaxed to no more negative than -3,500 cfs.
  - If the combined fish loss density drops to below 3.32 fish/TAF on 3/21, 3/22, and 3/23; the OMR flow limit may (as early as 3/24) be relaxed to no more negative than -5,000 cfs.
  - If the combined fish loss density exceeds 6.64 fish/TAF on 3/21, 3/22, or 3/23; the OMR flow limit of -2,500 cfs shall continue until there are 3 consecutive days of being below the second stage fish loss density trigger.
2. In addition, NMFS accepts the advice from DOSS that using the rotary screw trap monitoring station at Tisdale meets the requirement in the NMFS RPA (page 586) to give an early warning of fish movement in the Sacramento River. NMFS also accepts DOSS advice to utilize the Tisdale monitoring station for one year, at which time DOSS will reevaluate the utility of the monitoring station at Tisdale.